

Student Government Statutes Volume 1

Approved: February 1, 2021

Title VII: The Finance Code

Section 7000 Establishment

7000.1 The purpose of the SGA Finance Code is to provide clear, concise policies for Student Government in financial management and budget planning. This code and other such guides set forth by the SGA shall be the foundation upon which monetary decisions are based in answering the needs of the Student Body.

Section 7001 Purpose, Authority and Leadership

7001.1 The purpose of the Finance Code is to provide a procedure which:

7001.1.1 Assures full implementation of Florida Statutes governing the Activity and Service Fee 1009.24(10)(b).

7001.1.2 Facilitates positive and effective interaction between the university administrators and the Student Government Association (SGA) in the allocation and expenditure of funds derived from Activity and Service (A&S) Fee funds periodically collected and deposited at Florida International University.

7001.1.3 Defines and outlines the standards of financial accountability and fiscal management.

7001.1.4 Is applicable to all A&S Fee funds recipients, Governing Councils, and registered student organizations which are affiliated with the Student Government Association. Funds that are not from the A&S Fee shall be exempt from the Finance Code.

7001.2 Authority of the Code

7001.2.1 The allocation and expenditure of these funds shall be determined by the SGA through the Student Government Budget Committee and the procedures herein.

7001.3 Leadership

7001.3.1 The following are the roles of the administrators that are involved in the budgeting process:

7001.3.2 University President: Statutory authority is vested in the University President. The University President has delegated authority and accountability to the Senior Vice President for Academic and Student Affairs as their representative in administration and management of the A&S Fee funds.

7001.3.3 Senior Vice President for Academic and Student Affairs (SVPASA): It shall be the responsibility of the SVPASA or their designee to evaluate the recommendations of allocations of A&S Fee funds, proposed changes in matters which deserve the attention of the University President.

7001.3.4 SGA Activity and Service Business Office: It shall be the responsibility of the SGA A&S Business Office (ASBO) Assistant Director to evaluate the recommendations

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of allocations of A&S Fee funds, and proposed changes in matters which deserve the attention of the SVPASA. This official will be held responsible for the updating of ASBO on a weekly basis.

Section 7002 Definitions

- 7002.1 Activity & Service (A&S) Fee: The fee collected as a component of tuition which is to be expended for lawful purposes to benefit the Student Body in general. This shall include, but shall not be limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, ethnicity, creed, sex, sexual orientation, gender identity and expression, national origin, age, religion, disability, or any other classification as provided by law. The fund may not benefit activities for which an admission fee is charged to students, except for Student Government Association sponsored concerts.
- 7002.2 Budget: Plan of financial operation embodying an estimate of proposed expenditures for a given period or purpose and the proposed means or sources for financing such.
- 7002.3 Fiscal Year: The fiscal year of the Student Government of Florida International University shall be from July 1 to June 30.
- 7002.4 SGA Activity and Service Business Office (ASBO): The office services the accounting, budget process, travel, and /or purchasing needs of A&S Fee funded organizations. The ASBO is part of the Division of Academic and Student Affairs of FIU.
- 7002.4.1 The ASBO will coordinate training regarding fiscal procedures for all student organizations and any A&S Fee funded entity.
- 7002.4.2 The ASBO will be responsible for publishing a Policies & Procedures Financial Manual for A&S Fee budgeting and expenditures. This should be made available online through a link provided on the ASBO Web-Interface.
- 7002.4.3 The ASBO will be responsible for creating and distributing the annual budget process timeline and sending all related correspondence to account managers of A&S Fee funds.
- 7002.4.4 Student Organization: Any organized student group registered with the Florida International University Division of Academic and Student Affairs.
- 7002.5 Program: Defined as an entity which receives its operating revenue directly from allocation within the A&S Fee Budget. A program shall provide direct service to the Student Body of Florida International University. Programs may include, but are not limited to, Homecoming, Panther Rage, Student Program Committee, Residence Hall Association, Council for Student Organizations, and other entities coordinated and overseen by Academic and Student Affairs but paid by A&S Fee funds.

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7002.6 A&S Fee Funded Departments: An Academic and Student Affairs department that receives its operating revenue directly from allocation within the A&S Fee Budget and whose duties, compositions, and mission are outlined in statute.

7002.7 Signatory Authorities: Any university official who must sign off on any expense, including advisors.

Section 7003 Florida Statutes

7003.1 Florida Statutes - 1009.24 State University Student Fees

7003.1.1 Student fees shall be expended for lawful purposes in accordance with F.S 1009.24

7003.2 The Activity & Service Fee

7003.2.1 The Activity and Service Fee is established by the FIU Board of Trustees per Florida Statute 1009.24(10)(a).

7003.2.2 Any increase in the Activity and Service Fee must be recommended by an Activity and Service Fee Committee, at least one-half of whom are students appointed by the Student Body President. The remainder of the Committee shall be appointed by the University President.

7003.2.3 An increase in the Activity and Service Fee may occur only once each fiscal year and must be implemented beginning with the Fall term.

7003.2.4 A chairperson, appointed jointly by the University President and the Student Body President, shall vote only in the case of a tie.

7003.2.5 The recommendations of the Committee shall take effect only after approval by the University President, after consultation with the SGA President, with final approval by the FIU Board of Trustees.

7003.3 The student Activity and Service fees shall be expended for lawful purposes to benefit the student body in general. This shall include, but shall not be limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion. The fund may not benefit activities for which an admission fee is charged to students, except for student-government-association-sponsored concerts.

7003.3.1 The allocation and expenditure of the fund shall be determined by the Student Government Association of the University, except that the President of the University may veto any line item or portion thereof within the budget when submitted by the Student Government Association legislative body.

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- 7003.3.2 The University President shall have fifteen (15) University Business Days from the date of presentation of the budget to act on the allocation and expenditure recommendations, which shall be deemed approved if no action is taken within the fifteen (15) University Business Days.
- 7003.3.2.1 If any line item or portion thereof within the budget is vetoed, the Student Government Association legislative body shall within fifteen (15) University Business Days make new budget recommendations for expenditure of the vetoed portion of the fund. If the University President vetoes any line item or portion thereof within the new budget revisions, the University President may reallocate by line item that vetoed portion to bond obligations guaranteed by Activity and Service Fees. Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over and utilized as stipulated in the Accumulated Cash Balance Policy (ACBP).

Section 7004 Budget Process

- 7004.1 The chronological process for preparing the annual SGA fiscal budget shall be as follows:
- 7004.1.1 The Office of Financial Planning and Strategic Development submits to the Student Government preliminary projected figures of enrollment as well as fee revenue for the next year. These figures are only projections.
- 7004.1.2 The ASBO will make available budget request forms for any interested parties wishing to request funds of the A&S Fee fund. These forms, along with a deadline, will be advertised and also distributed to any existing funding entities, as well as any entity that had received funding within the past three (3) years.
- 7004.1.3 The ASBO will schedule a Budget Hearing following the deadline for request forms. The purpose of this hearing is to give an opportunity for requesters to make presentations and to be able to respond to questions from representatives. This hearing will also be advertised and open to the public; groups making requests should be expected to attend.
- 7004.1.4 The SGA Budget Committee will first prepare a budget draft to determine fixed expenses
- 7004.1.5 The Office of Financial Planning and Strategic Development will update budget projections as necessary during the course of the year. It is the responsibility of the Budget Committee to make any necessary adjustments due to any discrepancy between budget figures and projections to ensure a balanced budget.
- 7004.1.6 After the start of the Spring semester, the Budget Committee will finalize its budget at one of its regularly scheduled meetings and then present the budget to the Senate. A rejected budget shall be returned to the Budget Committee for revision.

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- 7004.1.7 The finalized budget will be submitted to the University President via the Senior Vice President for Academic and Student Affairs for approval or it can be vetoed. If no action is taken within fifteen (15) days following presentation, the budget shall be deemed approved.
- 7004.2 Once the budget has been finalized and the University President has signed it into effect, the newly elected SGA President and Comptroller will have the duty to authorize individual budgets. This should be done by July 1, whereas after that date no disbursements will be allowed if a budget has not been authorized.
- 7004.2.1 The designee from A&S Business Office and/or the Comptroller will inform all funded entities of approved allocations within ten (10) days of the budget being approved by the Senior Vice President for Academic and Student Affairs, and thus request an itemized budget from each entity by a certain deadline to be established by the Comptroller and/or the President.
- 7004.2.2 No disbursements will be allowed for any groups or entities that have not received proper authorization.

Section 7005 Funding Procedures

- 7005.1 All transactions will be facilitated, monitored, and reviewed by the Comptroller, and the A&S Business Office.
- 7005.2 The Senate Appropriations Committee shall have a given amount to distribute to the Student Body per request. All Senate Appropriations Committee Appropriations must be approved by a majority vote of the Senate and approved by the Comptroller.
- 7005.3 All Appropriations Committee Requests shall be processed requested by filing an Appropriations Committee Request Form. The Appropriations Committee Request Form shall be updated as needed
- 7005.4 Each request for funding submitted to the Appropriations Committee must be submitted at least one (1) month prior to the date the funds are needed.
- 7005.5 All Appropriations Committee requests may only be granted if they benefit more than one (1) student.
- 7005.6 No student or organization may request funds more than one time per semester from the Appropriations Committee.
- 7005.7 No student or organization may engage in double dipping of A&S Fee Funds from the Appropriations Committee and another A&S Fee funded organization.
- 7005.8 The Appropriations Committee must adhere to the following stipulations when appropriating funds:

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- 7005.8.1 All requesting entities must provide proof of outside fundraising or intent to fundraise when applicable.
- 7005.8.2 All disbursements shall have approval by signature of the Comptroller and the SGA President, as well as the A&S Business Office designee of the Senior Vice President For Academic and Student Affairs.
- 7005.8.3 Appropriations or transfers of any contingency shall be approved by the SGA President and the Senior Vice President for Academic and Student Affairs or their designee.
- 7005.9 Monthly financial reports shall be made available to the SGA President, as well as the whole SGA, to review, detailing any disbursements and money transfers by the A&S Business Office.
- 7005.9.1 This report is to be completed by the Comptroller.
- 7005.10 In order to receive funding, a student organization must be recognized for the fiscal year by SGA. No student organization shall be allowed to access any funds allocated to them without both the Organization's President and Organization's Treasurer attending a mandatory annual Financial Training Seminar hosted by the A&S Business Office and the SGA Comptroller. The training will adequately cover expenditure transactions, SGA Finance Code, good business policies and procedures. The workshop will be offered in each Fall and each Spring semester of each year. No organization may use their funds without attending this program.
- 7005.11 In order for a student organization to receive funds, the following guidelines must be adhered to:
- 7005.11.1 The organization must be officially registered as per the most recent regulations
- 7005.11.2 Organizations must re-register each Fall and each Spring semester to complete eligibility requirements.
- 7005.11.3 The President and Treasurer of each student organization are required to sign a Statement of Understanding.
- 7005.11.4 All signatory authorities receiving Student Government funds must complete the annual Financial Training Seminar. Violations of this rule will result in organizational funds being frozen until the organization is in compliance.
- 7005.11.4.1 The Statement of Understanding shall contain the following statement: The undersigned herein designated as (Name of Organization) fully understands the Student Government Association Finance Code which applies to all funds allocated from the Student Government Budget. Furthermore, the undersigned will adhere to all applicable procedures for expending funds allocated from the Student Government Budget. Any clarification required in regard to

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the laws and procedures of these funds shall be requested from the SGA Comptroller. Finally, the undersigned understands that any violations of this Finance Code will be enforced according to the Finance Code Rules and Regulations

- 7005.11.5 All signatory authorities will be held responsible to the adherence of Florida statutes pertaining to A&S Fee funds, FIU Policies and Procedures and the SGA Finance Code. Violation of this rule may result in a review and due diligence process by the FIU administration.

Section 7006 Spending Regulations

- 7006.1 All expenditures of A&S Fee funds shall be conducted through regulations, policies, and procedures of Florida International University and follow all applicable State of Florida guidelines.
- 7006.2 The allocation and expenditure of student A&S Fee funds shall be determined by the SGA Budget Committee under the applicable provisions of the laws of the State of Florida, the rules of the Board of Governors (BOG), and the applicable provisions of this Finance Code.
- 7006.3 A&S Fee funds may not benefit activities for which an admission fee is charged to students except for SGA sponsored concerts pursuant to Florida Statutes 1009.24(10)(b). A&S Fee funded events that generate revenue must return revenue funds to the A&S Fee account from which the event originally received funds from to offset the event costs. If ticket revenue is not used within the fiscal year it is generated, the money will revert to SGA Reserves as stipulated in the Accumulated Cash Balance Policy.
- 7006.4 No A&S Fee monies may be deposited by any entity into an off-campus bank account.
- 7006.5 The officers of any A&S Fee Funded organization must be elected according to their constitutions or statutes.
- 7006.6 No A&S Fee account nor budget line item may go into deficit.
- 7006.7 The SGA governance shall allocate funds for student programs and activities that will benefit the student population. Those funds allocated to SGA services and programs shall be administered according to this policy and other such guides
- 7006.8 Seeking the optimum use of SGA funds, the following criteria shall be considered by the SGA when determining the appropriateness and priority of allocations:
- 7006.8.1 Whether or not this is a type of organization or activity that can be supported by the SGA funds under current financial policies.
- 7006.8.2 he number of students being served by the group's program.
- 7006.8.3 The general values and scope of services provided to the student population.

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- 7006.9 The Student Government Association Finance Code is governed by University and state regulations and directives. Student Activity Fees are public funds, which must be administered in a manner consistent with the educational purpose of Florida International University.
- 7006.10 The Appropriations Committee and SGA Senate may place stipulations on the use of funds or recommend guidelines in the operations of a new SGA program or established organizations. All stipulations shall be binding.
- 7006.11 Honorariums or stipends shall not be appropriated to resource people who are on the University payroll as staff or faculty.
- 7006.12 All student organizations, Agencies and Bureaus receiving A&S Fee monies must sign a Statement Of Understanding to be prepared and administered by the SGA Comptroller before funds are released.
- 7006.13 No A&S Fee funds allocated to any Student Government funded organizations are to be expended on any of the following:
- 7006.13.1 Any fund-raising entities, except for Student Government approved events
 - 7006.13.2 Per Diem expenses for any club or organization.
 - 7006.13.3 Monetary prizes.
 - 7006.13.3.1 Exceptions may be made on a case-by-case basis for the above by the Executive Board of Student Government
 - 7006.13.4 Support for or in behalf of any political campaign.
 - 7006.13.4.1 Political campaigns shall be defined as any person or party running for any position in: Student Government elections or any campus election; local elections; state elections and / or national elections.
 - 7006.13.5 Alcoholic beverages or product with alcohol content and any related items or services such as bar tending, both on and off campus.
 - 7006.13.6 Tobacco, firearms, and any form of illegal drugs or contraband.
 - 7006.13.7 Subsidizing membership dues of any organization.
 - 7006.13.7.1 FIU required memberships (i.e. the BMI License) and SGA required memberships (i.e. FSA, USSA) shall be exempt from this clause.
 - 7006.13.8 Personal gifts and personal use items.
 - 7006.13.9 Decorative items for offices.
 - 7006.13.10 Subsidizing in whole or in part of any private corporation.
 - 7006.13.11 Tips and/or gratuities.

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- 7006.13.12 Food may not be purchased for executive board meetings, or any meeting or event with an expected attendance of fewer than ten (10) students.
- 7006.13.13 Items or services that go directly to community programs instead of the FIU community. This includes contributions and donations to community programs.
- 7006.13.14 Gift cards, raffle tickets and material prizes.
- 7006.13.15 Rental of or expenditures towards functions hosted in private residences.
- 7006.13.16 Any SGA funded entity may apply for the funding of publications. All publications must be stored in the University library or in the Department of Campus Life.
- 7006.13.17 Any A&S Fee funded events that will be open to the community must give admission priority to the students of Florida International University.
- 7006.13.18 The Governing Organization for Student Organizations constitution and point systems must be approved by the SGA Senate
- 7006.13.19 Student organizations cannot charge membership fees unless national dues are charged (i.e. Honor Society).
- 7006.13.20 Organizations receiving A&S Fee funds shall provide a monthly reconciliation report detailing the use of the monies allocated to them to be submitted to the SGA Comptroller within 2 weeks of the end of each month.

Section 7008 Student Government Advertising

- 7008.1 Printed or publicity materials shall include, but not be limited to, brochures, pamphlets, posters, advertisements, programs, handbills, stationery, and letters.
- 7008.2 SGA shall be said to sponsor any organization or program to which SGA allocates funds and/or office space.
- 7008.3 All events and projects funded partially or totally with SGA funds must use the word "SGA" in speaker introductions, must publicly acknowledge their connection with the Student Government Association, and must use the SGA logo in all printed advertising.
- 7008.4 All organizations and programs which are sponsored by SGA and which advertise with fliers, posters, or other printed media, must include the SGA logotype (symbol) at the bottom of such advertising. The logotype shall read: "Paid for by the SGA" or "Sponsored by the SGA."
- 7008.5 Each standing Agency, Bureau or programs funded by the Student Government Association shall be held responsible for including the SGA logotype and logo in all of its advertising.

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- 7008.6 In the event that there is little or no room to include the logo on printed media (e.g., an advertisement smaller than one-eighths [1/8] of a page), the SGA logo may be omitted with the approval of the SGA President.
- 7008.7 Publication of any and all printed or publicity materials bearing the SGA/Student Government Association logo do not necessarily reflect the views of Student Government or the Student Body.
- 7008.8 Permission to invoke the endorsement of the Student Body by any group must have written authorization by the Student Body President.
- 7008.9 Any organization not receiving funds from SGA that wishes to invoke the SGA logo, or a statement invoking the support or endorsement of Student Government, on any printed or publicity materials must have written authorization from the SGA President
- 7008.10 A copy of all printed materials bearing the SGA logo shall be submitted to the Student Government Association
- 7008.11 Upon the first violation of these prerequisites, the Student Government Office will notify the organization's President, faculty advisor, the SGA Comptroller, and the SGA President. Upon the second violation in a fiscal year, the organization's funds may be frozen for thirty (30) days under the authority and action of the Comptroller. Upon the third violation in a fiscal year, funds may be frozen for seventy-five (75) days. Upon the fourth violation in a fiscal year, A &S funds may be closed to the organization for the remainder of the fiscal year. All notifications regarding violations and actions toward the organization's account must be made in writing and kept on file in the Comptroller's office

Section 7009 Fiscal Accountability and Penalty Measures

- 7009.1 All entities receiving A&S Fee funding shall be subject to audit by the Student Government Association at any time.
- 7009.2 During the period of April 1st through June 30th of each fiscal year, the Student Body President and the Comptroller together may exercise the powers of either freezing or reverting unused funds remaining in student organizational accounts, Agencies and/or bureaus in order to prevent excessive expenditures by student organizations at the end of the fiscal year. If both the President and the Comptroller of the Student Body deem it appropriate, they may revert excess funds over the twenty-five (25%) percent limit immediately.
- 7009.3 Misuse of Funds
- 7009.3.1 Budgets deficits: shall be defined as when any entity funded by SGA has incurred in expenses that total an amount greater than the allocation made to that entity for that fiscal year.

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- 7009.3.2 Overspending: shall be defined as when any entity funded by SGA incurs in expenses for a particular event, project, or program that total an amount greater than what was stipulated in the budget allocated to that entity in its budget. Overspending of line items is prohibited. Organizations which receive line-item budgets or special requests are solely responsible for not overspending their line item amounts as allocated.
- 7009.4 Penalty measures
- 7009.4.1 If an entity is found to be in violation of the Finance Code or a Specific Budgetary Proviso, the following actions may be taken as penalty measures by the Comptroller or SGA President:
- 7009.4.2 On a first offense, an organization's funds will be frozen. An account shall be frozen for a period not to exceed ten (10) University Business Days. Two (2) University Business Days prior to such freezing, the SGA President or the Comptroller must notify in writing to the Treasurer of the entity whose funds are being frozen and to the Senate, the reason of such action and the duration of the account freeze. If the violation is due to overspending, the entity shall be responsible for reimbursing the Student Government Association that amount. The amount overspent shall be taken from the organization's Outside revenue, Existing line items of its current fiscal year budget or special requests. If the organization is unable to meet the obligation from the funds described, the organization's President and Treasurer must meet with the SGA Comptroller to draft a payment plan and a definite timetable. The Student Body President shall have the authority to overturn all Penalty Measures.
- 7009.4.3 On a second offense, during the current fiscal year, removal proceedings may be initiated by the Attorney General against the President and Treasurer of the organization. The organization shall also be placed on probation if the violation is a deficit for a period of sixteen (16) weeks or until the violation is corrected, whichever happens sooner. During the probation period the organization shall;
- 7009.4.3.1 Be required to eliminate the deficit by self-generated funds, or transfer of funds as recommended by the Comptroller.
- 7009.4.3.2 Not be eligible to receive additional funding without a two-thirds (2/3) approval vote of the Senate.
- 7009.4.3.3 Notice of probation and removal from probation shall be given in writing by the Comptroller to SGA A&S Business Office, Senate, and the Student Body President.
- 7009.4.3.4 Failure of an organization that has overspent Student Government funds to draft a payment plan within three (3) weeks of the occurrence, excluding summers, will constitute an additional violation of the Finance Code.
- 7009.4.3.5 If the organization, while on probation, violated the Finance Code, the Senate may bring proceedings to restructure or disband the organization.

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7009.4.4 No Activity and Service Fee money shall be appropriated for any organization that has been found responsible for misuse of Student Body funds twice within one (1) fiscal year, for a period of up to one (1) calendar year from the date of the violation.

Section 7010 Senate Appropriations Committee

7010.1 All SGA appropriations must be referred to the Senate Appropriations Committee.

7010.1.1 Appropriations over four hundred dollars (\$400) require the approval of a simple majority of the SGA Senate. Appropriations under 400\$ can be approved by a simple majority of the appropriations committee and the approval

7010.2 At no time shall an Appropriations Committee member use their affiliation with the Senate Appropriations Committee in an effort to achieve personal benefits. Subject to the due process provisions of the SGA Constitution, violation of this rule shall result in the immediate expulsion of said member from the Senate Appropriations Committee if the evidence is sufficient to warrant this action. Individuals violating this rule may, upon recommendation by the Senate Appropriations Committee, be referred for disciplinary action as specified in the Student Code of Conduct.

7010.3 No individual member of the Appropriations Committee shall vote on any matter in which the committee feels there is a conflict of interest with that individual. If a conflict of interest is established, then that member will refrain from a vote on the issue to which the conflict was established

Section 7011 Accumulated Cash Balance Policy

7011.1 All remaining A&S Fee funds at the end of year sweep must be allocated and utilized as stipulated in the Accumulated Cash Balance Policy (ACBP) document.